

## FY2024 NDAA: Status of Legislative Activity

July 31, 2023

By law ([31 U.S.C. §1105\(a\)](#)), the President is to send the annual federal budget request to Congress by the first Monday in February. In practice, Presidents sometimes send it later. On March 9, 2023, President Joseph R. Biden submitted initial documentation supporting the [FY2024 budget request](#), including proposed funding for the U.S. Department of Defense (DOD), nuclear weapons programs of the U.S. Department of Energy, and other national defense-related activities. The National Defense Authorization Act (NDAA) typically sets policy and authorizes appropriations for the vast majority of these activities. This product provides the status of congressional activity on National Defense Authorization Act for Fiscal Year 2024 proposals (FY2024 NDAA; H.R. 2670; S. 2226).

In the House, on June 12, 2023, leaders of the seven subcommittees of the House Armed Services Committee (HASC) released [draft legislative proposals](#) (known as *marks*) for matters in the FY2024 NDAA under their respective jurisdictions. On the same day, Representative Mike Rogers, Chair of HASC, released his [draft legislative proposal](#) (i.e., *Chairman's mark*) for portions of the bill not in the subcommittee marks. On June 13-14, the HASC subcommittees considered and reported their [marks](#) to the full committee. On June 21, the HASC [considered](#) amendments to the subcommittee marks and Chairman's mark before voting [58-1](#) to order the legislation reported to the House with an amendment in the nature of a substitute, reflecting the product of the committee markup. On June 30, the committee reported the bill, H.R. 2670, and filed its accompanying report, H.Rept. 118-125. On July 11-12, the House Rules Committee [met](#) to report an initial structured rule, H.Res. 582, for the House to consider H.R. 2670; on July 13, the committee reported a second structured rule, H.Res. 583. On July 12-14, the House considered [amendments](#) to the legislation. On July 14, the House passed the measure, as amended, by a vote of [219-210](#).

In the Senate, on [June 20-21](#), 2023, the seven subcommittees of the Senate Armed Services Committee (SASC) marked up draft legislative proposals with recommendations for matters in the FY2024 NDAA under their respective jurisdictions. One of the markups was held in an open session (Subcommittee on Personnel), and six were held in closed sessions. On [June 21-23](#), the full committee considered the legislation in closed sessions. On June 23, Senators Jack Reed and Roger Wicker, Chair and Ranking Member, respectively, of SASC, [announced](#) the committee voted 24-1 to order reported an original bill reflecting the product of the committee markup. On July 11, S. 2226 was reported to the Senate; on July 12, the accompanying report, S.Rept. 118-58, was filed. On July 19, the Senate began considering S. 2226, to which Senator Chuck Schumer, the Senate Majority Leader, then offered (for Senator Reed) a complete substitute amendment (S.Amdt. 935) based on the text of S. 2226 and additional provisions.

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**Amendments** to the substitute were considered and adopted. On July 27, the Senate passed the measure, as amended, by a vote of **86-11**. Pursuant to a **unanimous consent agreement**, immediately after passage of the bill, the Senate took up H.R. 2670 and agreed to an amendment consisting of the text of the just-passed S. 2226, and passed H.R. 2670 with that amendment. The House bill and Senate amendment will be sent to the House for action in that chamber.

**Table 1** shows the status of legislative activity on the FY2024 NDAA.

**Table 1. FY2024 NDAA: Status of Legislative Activity**

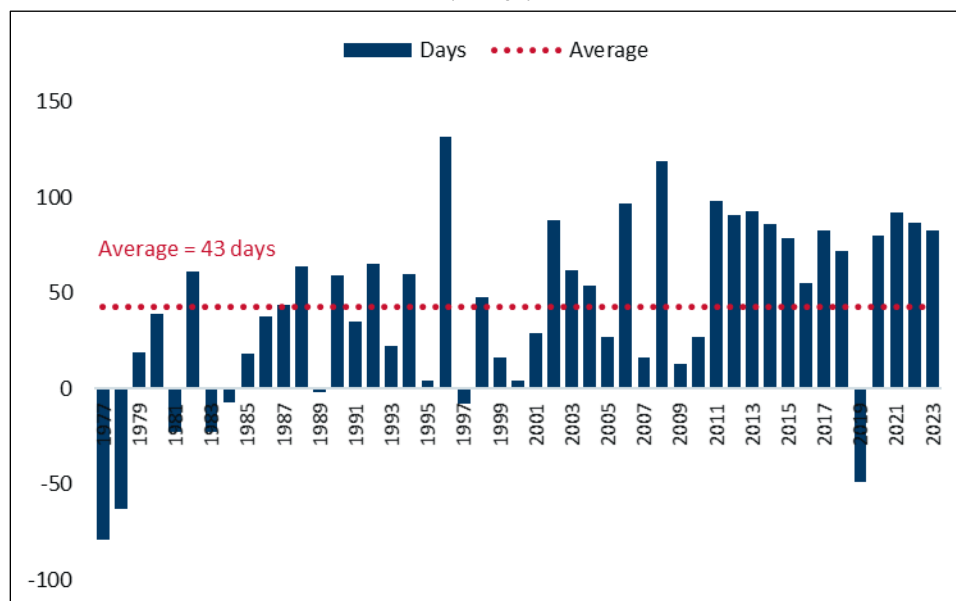
House				Senate				Public Law
Bill #, Date Report'd	Report #, Date	Vote # (yeas- nays), Date Passed	Resolving Diff's	Bill #, Date Report'd	Report #, Date	Vote # (yeas- nays), Date Passed	Resolving Diff's	P.L. #, Date Signed
H.R. 2670, 6/30/23	H.Rept. 118-125, 6/30/23	<b>328</b> (219- 210), 7/14/23				n/a (passed with an amendment by UC), 7/27/23		
				S. 2226, 7/11/23	S.Rept. 118-58, 7/12/23	<b>212</b> (86-11), 7/27/23		

**Source:** CRS analysis of selected actions in Congress.gov.

**Note:** UC is unanimous consent.

**Figure 1** shows the number of days between the start of the fiscal year and enactment of the annual defense authorization act since FY1977, when the federal government transitioned to a fiscal year beginning October 1, 1976. The FY2024 NDAA has not been enacted and is not shown in the figure.

**Figure 1. Days between Start of Fiscal Year and Enactment of Annual Defense Authorization Acts, FY1977-FY2023**  
(in days)



**Source:** CRS analysis of dates of enactment of public law from CRS Report 98-756, [Defense Authorization and Appropriations Bills: FY1961-FY2021](#), by Barbara Salazar Torreon and Sofia Plagakis; P.L. 117-81; and P.L. 117-263.

**Note:** Positive values indicate number of days between start of the fiscal year and enactment of annual defense authorization acts. Thus, the figure shows that since FY1977 annual defense authorization legislation has been enacted, on average, 43 days after the beginning of the fiscal year (i.e., early November). Negative values indicate number of days between enactment of annual defense authorization acts and start of fiscal year. Annual defense authorization legislation for the fiscal years 1979, 1989, 1996, 2008, 2016, and 2021 was enacted over a presidential veto. The FY2024 NDAA has not been enacted and is not shown in the figure.

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